

REMARKS

Claims 1-12, 20-25, 28, and 30 were pending and presented for examination in this application. In an Office action dated February 25, 2006, claims 1-12, 20-25, 28, and 30 were rejected. Applicants thank Examiner for examination of the claims pending in this application and address Examiner's comments below. In addition, Applicants also thank Examiner for taking time to discuss claims 1, 20, 21, and 24 of the pending application with Applicants' representative in the Examiner Interview of May 23, 2006. As required by 37 C.F.R. § 1.133 and MPEP § 713.04 and agreed upon with Examiner, the substance of the interview is incorporated in this amendment and response.

Applicants are canceling claims 2-5 and adding new claim 35 with this Amendment C and Response. Applicants are amending claims 1, 6-12, and 20-23 in this Amendment C and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In making these amendments, Applicants do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 USC 103(a) in View of Jones and Haraguchi

In the Office Action, Examiner rejects claims 1-12, 20-25, 28, and 30 under 35 USC § 103(a) as allegedly being unpatentable in view of U.S. Patent No. 5,974,334 ("Jones") and U.S. Patent No. 6,813,146 ("Haraguchi"). During the Examiner Interview, Examiner and attorneys reached agreement that the independent claims 1, 20, and 21 as amended would overcome the § 103 rejection. Applicants briefly discuss herein some differences between the claims and the cited arts.

Claim 1 as amended recites:

A mobile device comprising:

...

a user-controllable pivoting input switch having multiple operational modes, wherein **one operational mode comprises pivoting of the input switch in a first direction about an axis from a starting point to a first input-generating position, the input switch automatically returning to the starting point upon release after pivoting**, at least one of the multiple operational modes directs the operation of the mobile computing application, and at least one of the multiple operational modes directs the operation of the phone application.
(Emphasis added)

Thus, claim 1 as amended recites a pivoting input switch having multiple operational modes. For example, in one operational mode the input switch pivots in a first direction about an axis from a starting point to a first input-generating position and thereafter automatically returns to the starting point upon release of the pivoting. With the initial operation of the switch one function is performed and with the return of the switch to the starting position the switch can be moved again (to the first position, e.g., for two different applications as recited in claim 21, or a second position, e.g., as recited in claim 20), to perform another function. Claims 20 and 21 similarly recite such a pivoting input switch.

The cited references, Jones and Haraguchi, either alone or in combination, fail to disclose the claimed invention. In the Office action dated February 24, 2006, Examiner correctly stated that Jones fails to disclose a pivoting switch. Haraguchi discloses a jog dial which “comprises a rotatable circular dial knob” and “serves as the up-down key as described later by rotating the dial knob, and also serves as a non-lock type press button by pressing the jog dial in a radial direction.” (See Haraguchi, col. 5, lines 34-41). In contrast to the jog dial disclosed in Haraguchi, Applicants claimed switch does not rotate circularly, but rather pivots “in a first direction about an axis from a starting point to a first input-generating position” and “returns to the starting point upon release of the pivoting.” Thus, Haraguchi fails to disclose the claimed invention. Therefore, for at least this reason, claim 1 is patentably distinguishable over the cited references, both alone and in combination. Likewise, claims 20 and 21 also would be distinguishable over the cited references for the same reasons. Therefore, Applicants respectfully request that Examiner reconsider the rejection to these claims and withdraw it.

As to the dependent claims, because claims 6-12 are dependent on claim 1, and claims 22 and 23 are dependent on claim 21, all arguments advanced above with respect to claims 1 and 21 are hereby incorporated so as to apply to claims 6-12, 22, and 23. Thus, it is requested that the basis for the rejection to these claims be reconsidered and withdrawn.

Referring to claim 24, it recites the following:

A mobile device comprising:

- a) a display screen,
- b) a lid removably covering the display screen, said lid having a transparent element that allows at least a portion of the display screen to be visible while the lid covers the display screen;

....

As Examiner acknowledged during the Examiner Interview, the invention recited in claim 24 is not disclosed in the cited references. For example, claim 24 recites the display screen and the lid as two distinct elements, the lid being removably covering the display screen. The cited references fail to disclose this claimed limitation. Jones fails to disclose a lid. Haraguchi discloses a bi-directional pager having two connected portions, the display screen being located at the upper portion that functions as a lid. Therefore, in Haraguchi the display screen and the lid are integrated as one element. Also, neither portions of the pager has "a transparent element that allows at least a portion of the display screen visible while the lid covers the display screen." (See Haraguchi, col. 4, lines 29-41). Therefore, for at least these reasons, the claimed invention is patentably distinguishable over the cited references, both alone and in combination.

As to the dependent claims, because claims 25, 28, and 30 are dependent on claim 24, all arguments advanced above with respect to claim 24 are hereby incorporated so as to apply to claims 25, 28, and 30. Thus, these claims are also patentably distinguishable over the cited references.

Conclusion

Applicants' have added new claim 35 for which Applicants request consideration and examination. Applicants respectfully submit that claim 35 is supported by the specification and is commensurate within the scope of protection to which Applicants' believe they are entitled.

In sum, Applicants respectfully submit that claims 1, 6-12, 20-25, 28, 30, and 35, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
Jeffrey C, Hawkins and Robert Haitani

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By: 

Rajiv P. Patel, Attorney of Record
Registration No. 39,327
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7607
Fax: (650) 938-5200